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1619

PTO/SB/21 (6-98)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/658,390

Filing Date September 8, 2000

First Named Inventor Arthur J. Coury

Group Art Unit 1619

Examiner Name Willis, Michael A.

Total Number of Pages in This Submission 33

Attorney Docket Number FTI 126

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☐ Additional Enclosure(s) (please identify below):

Certificate of Transmission under 37 CFR 1.8; return postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Holland & Knight LLP

Patrea L. Pabst, Registration No. 31,284

Signature

Date

February 21, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: February 21, 2002

Typed or printed name Rivka D. Monheit

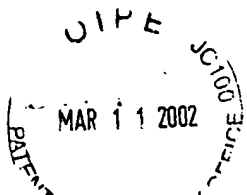
Signature

Rivka D. Monheit

Date

February 21, 2002

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COPY OF PAPERS
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PTO/SB/17 (08-00)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 616.00)

Complete if Known

Application Number	09/658,390
Filing Date	September 8, 2000
First Named Inventor	Arthur J. Coury
Examiner Name	Willis, Michael A.
Group Art Unit	1619
Attorney Docket No.	FTI 126

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TECH CENTER 600/2900

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 50-1868 Deposit Account Name: Holland & Knight LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid	
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		105 130 205 65 Surcharge - late filing fee or oath	
FEE CALCULATION		127 50 227 25 Surcharge - late provisional filing fee or cover sheet	
1. BASIC FILING FEE Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid		139 130 139 130 Non-English specification	
101 710 201 355 Utility filing fee		147 2,520 147 2,520 For filing a request for <i>ex parte</i> reexamination	
106 320 206 160 Design filing fee		112 920* 112 920* Requesting publication of SIR prior to Examiner action	
107 490 207 245 Plant filing fee		113 1,840* 113 1,840* Requesting publication of SIR after Examiner action	
108 710 208 355 Reissue filing fee		115 110 215 55 Extension for reply within first month	
114 150 214 75 Provisional filing fee		116 390 216 195 Extension for reply within second month	
SUBTOTAL (1) (\$) .00		117 890 217 445 Extension for reply within third month	
2. EXTRA CLAIM FEES		118 1,390 218 695 Extension for reply within fourth month	
Total Claims 49 -37 = 12 X 18.00 = 216.00		128 1,890 228 945 Extension for reply within fifth month	
Independent Claims 4 -4 = 0 X =		119 310 219 155 Notice of Appeal	
Multiple Dependent =		120 310 220 155 Filing a brief in support of an appeal	
Large Entity Small Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description Fee Paid		121 270 221 135 Request for oral hearing	
103 18 203 9 Claims in excess of 20		138 1,510 138 1,510 Petition to institute a public use proceeding	
102 80 202 40 Independent claims in excess of 3		140 110 240 55 Petition to revive - unavoidable	
104 270 204 135 Multiple dependent claim, if not paid		141 1,240 241 620 Petition to revive - unintentional	
109 80 209 40 ** Reissue independent claims over original patent		142 1,240 242 620 Utility issue fee (or reissue)	
110 18 210 9 ** Reissue claims in excess of 20 and over original patent		143 440 243 220 Design issue fee	
SUBTOTAL (2) (\$) 216.00		144 600 244 300 Plant issue fee	
		122 130 122 130 Petitions to the Commissioner	
		123 50 123 50 Petitions related to provisional applications	
		126 240 126 240 Submission of Information Disclosure Stmt	
		581 40 581 40 Recording each patent assignment per property (times number of properties)	
		146 710 246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
		149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
		179 279 355 Request for Continued Examination (RCE)	
		169 900 169 900 Request for expedited examination of a design application	
		Other fee (specify) _____	
		* Reduced by Basic Filing Fee Paid	
		SUBTOTAL (3) (\$) 400.00	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Patrea L. Pabst	Registration No. (Attorney/Agent)	31,284
Signature		Telephone	404-817-8473
		Date	2/2/02

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FTI 126 077637/00017



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur J. Coury, Stephen D. Goodrich, Hildegard M. Kramer, Luis Z. Avila, John F. Traverse, and Peter K. Jarrett

Serial No.: 09/658,390

Art Unit: 1619

Filed: September 8, 2000

Examiner: M. Willis

For: *HYDROGELS FOR ORTHOPEDIC REPAIR*

Assistant Commissioner for Patents
Washington, D.C. 20231

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S. J. BA
Alfonso
3/26/02

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the Office Action mailed November 21, 2001 please consider the following amendment. Submitted with this Response is a Petition for Extension of Time to extend the period for response two months, to and including February 21, 2002. The Commissioner is hereby authorized to charge \$616.00, which represents the fee for a two month extension of time (\$400) and the fee for twelve extra claims (\$216), to Deposit Order Account No. 50-1868.

Please address all future correspondence to:

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(404) 817-8473
(404) 817-8588 (fax)

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge any additional fees to Deposit Account No. 50-1868.

Amendment

Please amend the claims as follows.

1. (Amended) A covalently [polymerized] polymerizable, water-absorbing, hydrogel-forming material,

wherein the material has both hydrophilic and hydrophobic regions and is polymerized to form a hydrogel characterized as having the following properties:
 - a) absorbing water to less than about 300% of its initial weight, on equilibration with water or bodily liquids;
 - b) having a solids content of at least about 20% after equilibration in water or bodily liquids;
 - c) having an elongation to failure of at least about 25% hydration to equilibrium; and
 - d) being sufficiently biocompatible to permit the treatment or repair of biological tissue, or used as an implant in a patient.

21. (Amended) [A] The material of claim 1, further characterized as comprising, before polymerization or crosslinking, a monomer having the formula AHK, wherein:

A is a residue of an ethylenically unsaturated acid that is linked to H by a bond selected from ester and amide;